

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

GARY M. HELMS,

Plaintiff,

v.

CHEX SYSTEMS, INC.,

Defendant.

Case No. 18-929

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331 and 1441 *et seq.*, Defendant Chex Systems, Inc. (“Chex”) hereby removes the case styled Gary M. Helms, v. Chex Systems, Inc., Case No. 1816-CV26812, to the United States District Court for the Western District of Missouri, from the Circuit Court of Jackson County, Missouri, where it now pends.

1. On October 11, 2018, Plaintiff Gary M. Helms (“Plaintiff”) filed a Petition in the Circuit Court of Jackson County, Missouri. A copy of the Petition as filed with the state court is attached hereto as Exhibit A.

2. Chex was served with Summons and a file-stamped copy of the Petition on October 22, 2018.

3. This Notice of Removal is filed within thirty (30) days of the date on which the case became removable and therefore is timely pursuant to 28 U.S.C. § 1446(b).

4. This action is removable pursuant to 28 U.S.C. § 1441(a) because it is within the United States District Court’s jurisdiction under 28 U.S.C. § 1331 in that all claims in the Petition are brought under the Fair Credit Reporting Act, 15 U.S.C. § 1681, and specifically under 15 U.S.C. § 1681e. See, Petition Count I and Count II, pages 11 to 12.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1446 as the United States District Court for the Western District of Missouri geographically embraces the Circuit Court of Jackson County, Missouri, where Plaintiff filed this action.

6. Attached hereto as Exhibit B are true and correct copies of all process, pleadings, and orders served on Chex in the state court action.

7. A copy of this Notice of Removal will be filed in the Circuit Court of Jackson County, Missouri, and served on counsel for Plaintiff.

WHEREFORE, Defendant Chex Systems, Inc. hereby removes this case from the Circuit Court of Jackson County, Missouri to this Court for all further proceedings. The Circuit Court of Jackson County, Missouri shall proceed no further unless and until such further Order from this Court.

Respectfully submitted,

BRYAN CAVE LEIGHTON PAISNER LLP

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of November, 2018, the foregoing was filed electronically with the Clerk of the Court by using the CM/ECF system and was served via U.S. Mail, first class postage prepaid, to the following counsel of record:

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Attorneys for Plaintiff

/s/ Jonathon D. Nicol
Attorney for Defendant